



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713


TELEPHONE
(213) 974-1861
FACSIMILE
(213) 229-9924
TDD
(213) 633-0901

JOHN F. KRATTLI
County Counsel

August 8, 2013

TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
James Parker v. County of Los Angeles, et al.
United States District Court Case No. CV 12-0064

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled James Parker v. County of Los Angeles, et al., United States District Court Case No. CV 12-0064, in the amount of \$200,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit concerns allegations of excessive force by Sheriff's Deputies on an incarcerated inmate.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	James Parker v. County of Los Angeles, et al.
CASE NUMBER	CV 12-0064
COURT	United States District Court
DATE FILED	January 4, 2012
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 200,000
ATTORNEY FOR PLAINTIFF	Dale Galipo
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon
NATURE OF CASE	<p>Plaintiff James Parker alleges his federal civil rights were violated when he was subjected to excessive force by the Los Angeles County Sheriff's Department.</p> <p>The Deputies contend that the force used was reasonable in response to Mr. Parker's violence and resistance.</p> <p>Due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$200,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 210,446
PAID COSTS, TO DATE	\$ 16,247

Case Name: James Parker v. County of Los Angeles, et al.



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event	Monday, January 24, 2011; approximately 5:45 p.m.
Briefly provide a description of the incident/event:	<p><u>James Parker v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2013-013</p> <p>On Monday, January 24, 2011, at approximately 5:45 p.m., the plaintiff, without provocation or warning, initiated a violent physical altercation with a Los Angeles County deputy sheriff by punching the deputy sheriff in the face. As a result, two deputy sheriffs used physical force to overcome the resistance offered by the plaintiff. The plaintiff was subsequently restrained and ultimately handcuffed.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

In his lawsuit, the plaintiff alleged he was subjected to excessive force by members of the Los Angeles County Sheriff's Department and denied timely medical treatment while incarcerated in the Los Angeles County jail system.

2. Briefly describe recommended corrective actions:
(include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.

This incident was thoroughly reviewed by representatives from the Los Angeles County Sheriff's Department's Twin Towers Correctional Facility. Their review found that the physical force used by the two deputy sheriffs to overcome the resistance offered by the plaintiff was reasonable, necessary, and in compliance with Department policy.


The incident also was investigated by representatives from the Los Angeles County Sheriff's Department's Internal Affairs Bureau. Their investigation determined that one deputy sheriff engaged in misconduct. Appropriate administrative action was taken.

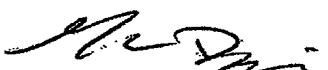
County of Los Angeles
Summary Corrective Action Plan

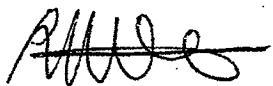
3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes – The corrective actions address department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 6/27/13

Name: (Department Head) Glen Dragovich, Division Director Administrative and Training Division	
Signature: 	Date: 6/28/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) LEO COSTANTINO	
Signature: 	Date: 7/18/13